

# Exhibit 46

1 SUPERIOR COURT OF CALIFORNIA

2 COUNTY OF ALAMEDA

3  
4 MARLIN LEWIS EAGLES and  
GEORGIA EAGLES,

Case No. 22CV018294

5  
6 Plaintiffs,

7 vs.

8 ARVINMERITOR, INC., et al.,

9 Defendants.  
10  
11  
12

13 VIDEOTAPED VIDEOCONFERENCE DEPOSITION OF

14 WILLIAM LONGO, PH.D.

15 Suwanee, Georgia

16 Monday, October 23, 2023

17 Volume 2  
18  
19  
20

21 Reported by:

LESLIE JOHNSON

22 RPR, CCRR, CSR No. 11451

23 Job No.: 6167398

24 PAGES 166 - 281  
25

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12:39:19

2 Q I just want to first just talk about what  
3 talc itself should look like in 1.550 oil. Okay.

4	A	Sure.
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12:39:35

12:40:00

11                   A     Yeah.  You can have a range like that.  
12                   Sometimes a little bit lower.  Sometimes higher.  
13                   But that's -- I don't argue with that.

12:40:14

17                   A     That's what they give.

18 (Exhibit 25 marked for identification.)

19 BY MR. DUBIN:

12:40:25

12:41:11

1       you can identify any talc plates. We can take the       12:58:16  
2       one that's up slightly to the right of the one you  
3       just called chrysotile. What color would you call  
4       that for purposes of determining its refractive  
5       index?       12:58:28

6           A       That would be somewhere in the 1.563 to  
7       1.566, 67. Somewhere around there.

8           Q       Remind me what color that corresponds to.

9           A       What you see there.

10          Q       So are you calling it red? Are you       12:58:43  
11       calling it golden yellow? What color are you  
12       calling it? I want to know what you see in that  
13       particle.

14          A       I see sort of a goldish-yellow and some  
15       red on the outside. I don't -- typically, you want       12:58:59  
16       to take the very end, but this is a particle plate,  
17       since it's not fibrous. And we do have some single  
18       fibers in there, but they're too small to really  
19       resolve. And that's what I would call it, based on  
20       just that photograph.       12:59:19

21          Q       So I'm just saying, I think one of the  
22       things you told me before is that when you do this  
23       analysis, you're basing it on what color it is at  
24       the edge of the particle, right?

25          A       With our new microscope, yes, we are,       12:59:31

1 because we have better resolution. Here we have -- 12:59:33  
2 every particle has some of the red around it. And I  
3 don't know if that's just an artifact or not. But  
4 I'm just -- you asked me, and I'm telling you.

5 Q Okay. I understand. So but your view -- 12:59:49  
6 the red -- you agree the red on these pictures may  
7 be an artifact, right?

8 A Maybe. I don't know. I'd have to focus  
9 in on it to see if we -- you know, the focus is off,  
10 et cetera. So I'm giving you my best estimate based 01:00:04  
11 on the photograph.

12 Q Okay. And so at some point you changed  
13 microscope, as I understand it, and no longer have  
14 the tungsten lightbulb, right?

15 A It's LED. 01:00:24

16 Q Now, I want to ask you about -- so before  
17 you changed, did you have various different PLMs  
18 before that, some of which had tungsten lightbulbs,  
19 some of which didn't, or did they all have a  
20 tungsten lightbulb? 01:00:44

21 A We had 3D exact same microscope.

22 Q Okay. All with the tungsten lightbulb?

23 A Older -- old PLM microscopes.

24 Q Okay. So I want to mark next, which,  
25 unless Joe corrects me again, will be 28. 01:00:59

1 Valadez report. 01:08:23

2 MR. DUBIN: And, Jake, that's Tab 55, if

3 we want to call it out.

4 MR. SATTERLEY: Exhibit 30?

5 MR. DUBIN: That will be Exhibit 30. 01:08:36

6 (Exhibit 30 marked for identification.)

7 MR. DUBIN: And, if we can go to page 32.

8 Sorry. Is this the Valadez report, Jake,

9 Tab 55? And then page 32? It should have images.

10 MR. KEESTER: Is it this one? 01:09:23

11 MR. DUBIN: Yeah. Let's rotate it.

12 BY MR. DUBIN:

13 Q So I asked you about this particle before,

14 and I think you -- well, let me just ask you. What

15 color were you calling this? 01:09:46

16 A A brownish-gold I guess. More on the

17 brownish side, brownish-gold, which what we're

18 seeing in the 1.560.

19 Q So this is M71614-001CSM-001 chrysotile.

20 Okay? 01:10:04

21 MR. DUBIN: And let's go to page 37 above

22 this. Scroll down because it should have the

23 correct image. Let's go down. Okay. Let's flip

24 that. Scroll that down.

25 / / / /

REPORTER'S CERTIFICATION


I, Leslie Johnson, a Certified Shorthand Reporter of the State of California, do hereby certify:

That the foregoing proceedings were taken before me at the time and place herein set forth; that any witnesses in the foregoing proceedings, prior to testifying, were administered an oath; that a record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; that the foregoing transcript is a true record of the testimony given.

Further, that if the foregoing pertains to the original transcript of a deposition in a Federal Case, before completion of the proceedings, review of the transcript [ ] was [ ] was not requested. I further certify I am neither financially interested in the action nor a relative or employee of any attorney or any party to this action.

IN WITNESS WHEREOF, I have this date subscribed my name.

Dated: October 24, 2023

A handwritten signature in cursive script that reads "Leslie Johnson". The signature is written in dark ink and is positioned above the printed name.

LESLIE JOHNSON

CSR No. 11451, RPR, CCRR